

1 BARRY J. PORTMAN
2 Federal Public Defender
2 LARA S. VINNARD
3 Assistant Federal Public Defender
3 160 West Santa Clara Street, Suite 575
3 San Jose, CA 95113
4 Telephone: (408) 291-7753

5 Counsel for Defendant BROWN

6

7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,) No. CR 09-00891 JW
12 Plaintiff,)
13 v.) **STIPULATION TO AMEND
14 WILLIAM BROWN,) JUDGMENT TO WAIVE INTEREST ON
15 Defendant.) RESTITUTION; [PROPOSED] ORDER**
16 _____)

17 Defendant William Brown was sentenced on May 10, 2010, and ordered to pay \$833.64
18 in restitution. At that time, defense counsel failed to request that the Court waive interest on the
19 restitution. Mr. Brown is indigent and lacks the ability to pay interest. Government counsel has
20 no objection to the waiver of interest on restitution. In the event that the Court would entertain a
21 stipulation to amend the judgment on this ground, the parties stipulate that the Court may amend
22 the judgment to waive interest on the restitution.

23 Should the Court agree to waive interest on the restitution, the parties do not believe that
24 a further hearing on this issue is necessary, but should the Court prefer to hear argument, the
25 parties request that the Court set the matter on the next available date.

26 STIPULATION TO AMEND JUDGMENT TO
WAIVE INTEREST ON RESTITUTION;
[PROPOSED] ORDER
No. CR 09-000891 JW

1 IT IS SO STIPULATED.

2 Dated: 5/13/10

/s/
LARA S. VENNARD
Assistant Federal Public Defender

4 Dated: 5/13/10

/s/
HARTLEY WEST
Assistant United States Attorney

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

STIPULATION TO AMEND JUDGMENT TO
WAIVE INTEREST ON RESTITUTION;
[PROPOSED] ORDER
No. CR 09-000891 JW

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,) No. CR 09-00891 JW
Plaintiff,)
v.) [PROPOSED] ORDER AMENDING
WILLIAM BROWN,) JUDGMENT TO WAIVE INTEREST ON
Defendant.) RESTITUTION

16 The Court issued the judgment in this matter on May 13, 2010, ordering in part that Mr.
17 Brown must pay \$833.64 in restitution. The parties have stipulated that interest on the restitution
18 may be waived because he does not have the ability to pay interest, and have further stipulated
19 that the judgment in this matter may be amended to waive Mr. Brown's obligation to pay interest
20 on restitution.

21 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that interest on the restitution
22 is waived because Mr. Brown does not have the ability to pay interest. The clerk shall amend the
23 judgment to so reflect.

24 | Dated: May 17, 2010


JAMES WARE
United States District Judge

STIPULAT
WAIVE IN
[PROPOS
No. CR 09-000891 JW

MENT TO TION;